

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

United States of America,

Plaintiff,

vs.

Civil No.  
Honorable

Forty-Four Thousand Six  
Hundred Ninety-Eight Dollars  
(\$44,698.00) in U.S. Currency

Defendants *in Rem*.

/

**COMPLAINT FOR FORFEITURE**

Plaintiff, the United States of America, by and through Dawn N. Ison, United States Attorney for the Eastern District of Michigan, and K. Craig Welkener, Assistant United States Attorney, states the following in support of this Complaint for Forfeiture:

**JURISDICTION AND VENUE**

1. This is an *in rem* civil forfeiture action under 21 U.S.C. § 881 (a)(6).
2. This Court has original jurisdiction over this forfeiture action under 28 U.S.C. § 1345 as this action is being commenced by the United States of America as Plaintiff.

3. This Court has jurisdiction over this forfeiture action under 28 U.S.C. § 1335(b)(1)(A) and (B) because the acts giving rise to the forfeiture occurred in the Eastern District of Michigan and because the property was found in this district.

4. Venue is proper before this Court pursuant to 28 U.S.C. § 1331(b)(2) as a substantial part of the events or omissions giving rise to the Government's claims occurred in the Eastern District of Michigan.

5. Venue is also proper before this Court pursuant to 28 U.S.C. § 1335(b) as the Defendants *in rem* were found and seized in the Eastern District of Michigan.

#### **DEFENDANTS IN REM**

6. The Defendants *in rem* consist of Forty-Four Thousand Six Hundred Ninety-Eight Dollars (\$44,698.00) in U.S. Currency, seized by members of the Drug Enforcement Administration.

7. The Defendants *in rem* are currently in the custody of the United States Marshall Service.

**STATUTORY BASIS FOR FORFEITURE**

8. Title 21 United States Code, Section 881, governs the civil forfeiture of property which constitutes or is derived from the proceeds of narcotics crimes, or which was used to facilitate crimes:

The following shall be subject to forfeiture to the United States and no property right shall exist in them. . . .[a]ll monies, negotiable instruments, securities, or other things of value furnished or intended to be furnished by any person in exchange for a controlled substance or listed chemical in violation of this subchapter, all proceeds traceable to such an exchange, and all monies, negotiable instruments, and securities used or intended to be used to facilitate any violation of this subchapter.

21 U.S.C. § 881 (a)(6).

**FACTUAL BASIS FOR CIVIL FORFEITURE**

11. The Defendant in rem is forfeitable to the United States of America as property which was furnished, or was intended to be furnished, in exchange for a controlled substance; as proceeds traceable to such an exchange; and/or as monies which were used or were intended to be used to facilitate a violation of Title 21 of the United States Code and are, therefore, subject to seizure and civil forfeiture pursuant to 21 U.S.C. § 881(a)(6).

a) On January 13, 2021, a State of Michigan search warrant was executed at XXXXX Fleetwood Dr, Harper Woods, Michigan. A search of the residence resulted in the discovery of sales quantities of suspected marijuana, THC product, pharmaceuticals, packaging material, a gun, a money counter, and United States Currency.

b) Agents found a total of \$44,698.00 in bulk U.S. Currency at the residence. Based on the underlying drug investigation, the cash-intensive nature of dealing in controlled substances, and evidence found in the home, the funds appear to be monies which was furnished, or was intended to be furnished, in exchange for a controlled substance; as proceeds traceable to such an exchange; and/or as monies which were used or were intended to be used to facilitate a violation of Title 21 of the United States Code.

c) The Currency was found in the following locations at the residence: Master (southwest) Bedroom Dresser, Master (southwest) Bedroom Closet; Bedroom (northeast) Dresser, and Basement Safe.

**Claim for Relief**

12. Plaintiff re-alleges and incorporates by reference each

allegation contained in Paragraphs 1 through 11.

13. The defendant currency is forfeitable to the United States of America pursuant to 21 U.S.C. § 881(a)(6) because it is property which was furnished or was intended to be furnished in exchange for a controlled substance in violation of Title 21 of the United States Code, and/or because it constitutes proceeds traceable to such an exchange, and/or because it represents moneys used or intended to be used to facilitate a violation of Title 21 of the United States Code.

**Conclusion and Relief**

Plaintiff respectfully requests that this Court issue a warrant for arrest of the Defendants *in rem*; that due notice be given to all interested parties to appear and show cause why forfeiture should not be decreed; that judgment be entered declaring the Defendants *in rem* condemned and forfeited to the United States for disposition according to law; and, that the United States be granted such further relief as this Court may deem just and proper, together with costs and disbursements of this action.

Respectfully submitted,

Dawn N. Ison  
United States Attorney

s/K. Craig Welkener  
K. Craig Welkener  
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Dated: May 30, 2023

VERIFICATION

I, Matthew Essennacher am a Special Agent with the Drug Enforcement Administration. I have read the foregoing Complaint for Forfeiture and declare under penalty of perjury that the facts contained therein are true to the best of my knowledge and belief, based upon knowledge possessed by me and/or on information received from other law enforcement agents and/or officers.

Matthew Essennacher  
Special Agent Matthew  
Drug Enforcement Administration

Dated: 5/31/2023